

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEITH JEROME WRIGHT,

Plaintiff,

v.

IDALBERTO ZALDIVAR-GALVES,

Defendant.

No. 1:24-cv-01029 JLT GSA (PC)

ORDER GRANTING PLAINTIFF'S
REQUEST FOR NEW SCHEDULING
ORDER DEADLINES

(ECF No. 33)

ORDER RESETTING REMAINING
DISCOVERY AND SCHEDULING ORDER
DATES

(See ECF No. 28)

Discovery Ends: September 2, 2025

Motions to Compel Due: September 2, 2025

Pretrial Motions Due: October 16, 2025

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Before this Court is Plaintiff's request for new scheduling deadlines. ECF No. 33. For the reasons stated below, the request will be granted, and the Court will reset the remaining original deadlines stated in the discovery and scheduling order. See ECF No. 28 at 6 (discovery and scheduling order).

I. RELEVANT FACTS

1 On March 20, 2025, the Court issued a discovery and scheduling order for this case. ECF
2 No. 28. In it, the Court ordered discovery to be served by May 9, 2025; for discovery to end and
3 for motions to compel to be filed on July 11, 2025, and for pretrial motions to be filed by October
4 3, 2025. Id. at 6.

5 On June 18, 2025, a motion for a fourteen-day extension of time filed by Plaintiff was
6 docketed. ECF No. 29. In support of it, Plaintiff stated that his discovery had been timely served
7 on Defendant, but that weeks later it had been returned to him because Plaintiff had been given
8 the wrong address by the prison. Id. at 1. The Court granted Plaintiff's motion on June 25, 2025.
9 ECF No. 30. At that time, it informed the parties that all other directives in the discovery and
10 scheduling order were to remain in effect. Id. at 2.

11 II. DISCUSSION

12 Plaintiff's request will be granted. Plaintiff's extension of time request to serve discovery
13 was docketed on June 18, 2025. See ECF No. 29. This was almost six weeks after the May 9,
14 2025, deadline that the parties had been ordered to serve discovery. See ECF No. 28 at 6
15 (discovery and scheduling order). Despite this fact, when the Court granted Plaintiff's fourteen-
16 day extension of time on June 25, 2025, this made the last day for the parties to serve discovery
17 on one another July 9, 2025.

18 Plaintiff provided good cause for the Court to grant his request to modify the discovery
19 and scheduling order by extending the service of discovery deadline. Because the deadlines in
20 the discovery and scheduling order all relate to one another, when the Court granted the extension
21 of time for the parties to serve discovery, the remaining deadline dates in the discovery and
22 scheduling order should have been adjusted accordingly. For this reason, and consistent with
23 Plaintiff's request in the instant motion, the Court will, sua sponte, adjust the remaining discovery
24 and scheduling order dates herein.

25 The dates will be adjusted based on the fact that the Court presumes that the parties timely
26 served their discovery on one another by the fourteen-day extended July 9, 2025, deadline.
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1 Additionally, given the simplicity of this case,¹ in the interests of judicial efficiency, the standard
2 time between the extended service of discovery deadline – here, July 9, 2025 – and the deadline
3 for motions to compel will be shortened. For the same reasons, the period of time between the
4 date that motions to compel are due and pretrial motions are due will also be shortened.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. Plaintiff's request for new scheduling order deadlines (ECF No. 33) is GRANTED;

7 2. In light of the Court's order which granted Plaintiff's June 18, 2025, motion for a
8 fourteen-day extension of time to serve discovery (see ECF No. 30), which presumes, as a result,
9 that the parties then timely served discovery on one another by the extended July 9, 2025,
10 deadline, the Court further modifies the discovery and scheduling order as follows:

- 11 • Discovery ends: September 2, 2025;
- 12 • Motions to compel due: September 2, 2025, and
- 13 • Pretrial motions due: October 16, 2025

14 **All other directives in the discovery and scheduling order are to remain in full force**
15 **and effect.**

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17 IT IS SO ORDERED.

18 Dated: August 11, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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¹ The complaint raises a single claim of Eighth Amendment deliberate indifference to serious medical need. See generally ECF No. 1.